IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

WP(C).No. 18145 of 2006(I)

PETITIONERS:

1. **P.PRADEEP KUMAR,LAB ASSISTANT (M.R.R.T.V.), N.S.S.K.P.T.V.H.S. SCHOOL, OTTAPPALAM.**
2. **MANU PAUL, LAB ASSISTABNT IN M.R.R.T.V. N.I.V.H.S.S. MARAMPILLY, ALUVA.**
3. **V.M.VENUGOPAL, LAB ASSISTANT, G.M.V.H.S.S. THIRUVANTHOOR, KODUMBU,PALAKKAD.**

BY ADV. SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE

RESPONDENTS:

1. **THE STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, GENERAL EDUCATION (T) DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**
2. **THE SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**
3. **THE DIRECTOR, VOCATIONAL HIGHER SECONDARY EDUCATION, HOUSING BOARD BUILDING, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SRI. MANOJKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 18145/2006 I

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE JUDGMENT IN WPC NO. 2705/97 DT. 28/1/98.

EXT.P2. COPY OF THE JUDGMENT IN WPC NO. 22143/01 8/2/2002.

EXT.P3. COPY OF THE JUDGMENT IN WPC NO. 19793/04 DT. 7/09/04.

EXT.P4. COPY OF THE ORDER DT. 6/7/05 FROM SECRETARY TO GOVT. DIRECTOR VOCATIONAL HGIHER SECONDARY EDUCATION.

EXT.P5. COPY OF THE ORDER DT. 11/08/05 FROM THE DIRECTOR OF VOCATIONAL HIGHER SECONDARY EDUCATION.

EXT.P6. COPY OF THE REPRESENTATION FROM THE P2 DT. 1/6/05 TO SECRETARY TO GOVT.

EXT.P7. COPY OF THE REPRESENTATION FROM THE PETITIONERS' ASSOCAITION BEFORE THE RESPONDENTS.

True copy

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KURIAN JOSEPH J.

W.P.(C) No.18145 of 2006

Dated 4th July, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayer :-

> "to issue a writ of mandamus compelling the respondents to grant the first time bound Higher Grade to the petitioners in the Scale of pay of Rs.4600-7125 Vocational Instructor on completion of 10 years as Lab Assistant."

Learned Government Pleader submits that the Government has issued order dated 23.6.2007 making applicable the rules prevailing in the Government sector to the aided schools also. There will be a direction to the third respondent to pass the consequential orders in the light of the Government Order and disburse the eligible benefits to the petitioners, within three months from the date of production of a copy of the judgment. In order to enable the third respondent to pass orders as above, Ext.P4 is quashed.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 4th July, 2007.